

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

EDGAR ANTONIO BARRON -
HERNANDEZ,

Petitioner,

vs.

H.A. LEDEZMA, WARDEN

Respondent.

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Case No. CIV-08-829-M


ORDER

On September 18, 2008, United States Magistrate Judge Valerie Couch issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2241 challenging the execution of his sentence. Simultaneously with the filing of the Petition, Petitioner filed a Motion In Pursuant of § 2243 Issuance of Writ [docket no. 3]. The Magistrate Judge recommended that the Petition seeking habeas corpus relief pursuant to 28 U.S.C. § 2241 be summarily dismissed, and further recommended that Petitioner's Motion In Pursuant of § 2243 Issuance of Writ be denied. Petitioner was advised of his right to object to the Report and Recommendation by October 8, 2008. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on September 18, 2008, and
- (2) DISMISSES the Petition seeking habeas corpus relief pursuant to 28 U.S.C. § 2241, and
- (3) DENIES the Motion In Pursuant of § 2243 Issuance of Writ.

IT IS SO ORDERED this 4th day of November, 2008.


VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE